



# ఆంధ్రప్రదేశ్ రాజపత్రము

## THE ANDHRA PRADESH GAZETTE PUBLISHED BY AUTHORITY

W.No.30

AMARAVATI, TUESDAY, JULY 30, 2019

G.195

### PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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### NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

#### THE COMMANDANT, HEAD QUARTERS, A.P. SPECIAL PROTECTION FORCE, TIRUPATI.

DISCIPLINARY CASE AGAINST Sri G. SAMBASIVA RAO, CT-5175 OF APSPF, TTD  
TIRUPATI - FINAL ORDERS.

- Ref: 1. OSL report submitted by the AC, APSPF, Tirupati vide C.No.11/ AC/SPF/TPT/CL-OSL/2018/D.No. 965 dt : 03.12.2018.  
2. Report submitted by the AC, APSPF, Tirupati vide C.No. 11 / AC/SPF/TPT/OSL/D.No. 56, dated : 07.01.2019.  
3. Charge Memo: This Office Rc.No.02/A3/Comdt.Hqrs/APSPF/ TPT/2019, dated : 29.01.2019.  
4. Individual explanation forwarded by the AC, APSPF, Tirupati vide C.No. 30/AC/SPF/TTD/Expl/D.No.339 dated : 10.02.2019.  
5. Appointing of EO: This Office Rc.No.02/A3/Comdt.Hqrs/APSPF TPT/2019, O.O.No. 170/2019, dated : 15.02.2019.  
6. OE report: Rc.No. 13/INSP/SPF/TTD/OE-5175/2019/D.No.710 dated: 12.04.2019 of the Inspector, APSPF, TTD Tirumala.  
7. Show Cause Notice: This Office Rc.No.02/A3/Comdt.Hqrs/ APSPF/TPT/2019, dated : 22.04.2019.  
8. C.No. 13/AC/SPF/TPT/SCN-Return/D.No.791, dt: 30.04.2019 of the AC, APSPF, Tirupati.  
9. This Office Lr. Rc.No.02/A3/Comdt.Hqrs/APSPF/TPT/2019, dated : 02.05.2019.  
10. The A.P. Gazette Notification W.No. 19, G. 54 dated : 11.05.2019.

11. C.No. 11 /AC/SPF/TPT/OSL-5175/D.No.509, dated : 11.03.2019 of the AC, APSPF, Tirupati.
12. C.No. 11/AC/SPF/TPT/OSL-5175/D.No.732/2019, dated:20.04.2019 of the AC, APSPF, Tirupati.
13. C.No. 11 /AC/SPF/TPT/OSL-5175/D.No. 1034/2019, dated:22.06.2019 of the AC, APSPF, Tirupati.

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**Rc. No. 02 / A3 / Comdt. Hqrs / APSPF / TPT /2019, O.O.No.838/2019,-** In the reference first cited, the Asst. Commandant, APSPF, Tirupati submitted a report against Sri G. Sambasiva Rao, CT-5175 stating that, the said Constable who was passported to avail one day Casual Leave from 29.11.2018 AN to 30.11.2018 AN, did not turn-up for duties from the said leave and absenting the duties unauthorizedly w.e.f. 30.11.2018 AN without obtaining any leave or intimation to his superiors.

Vide reference second cited, the Asst. Commandant, APSPF, Tirupati submitted another report against the said Constable stating that, he simply sent a representation along with OP Tickets & Medical Certificates issued by the Medical Officer, Area Hospital, Narasaraopet, Guntur Distt. through courier requesting to sanction eligible leave as he met with an accident and obtained medical rest on his own accord for a period of (77) days w.e.f. 01.12.2018 to 15.02.2019 in two different spells.

Vide reference third cited, the following Article of Charge was framed against Sri G. Sambasiva Rao, CT-5175 and explanation called for.

**ARTICLE-I:** That the said Sri G. Sambasiva Rao, CT-5175 was passported to avail one day casual leave from 29.11.2018 AN to 30.11.2018 AN. Even after expiry of the said leave, he did not attend for duties and absenting the duties unauthorizedly w.e.f. 30.11.2018 AN by adopting irregular procedure for availing medical leave. Therefore his act of unauthorized absence amounts to willful absence.

Vide reference fourth cited, the Charged Officer Sri G. Sambasiva Rao, CT-5175 submitted explanation to the Memorandum of Charge.

Vide reference fifth cited, Sri A.P.M.S. Reddy, Inspector, APSPF, TTD Tirumala was appointed as an Inquiring Authority to inquire into the charge framed against the Charged Officer Sri G. Sambasiva Rao, CT-5175.

The Inquiring Authority has conducted an ex parte enquiry as the Charged Officer failed to receive the O.E. intimation letters which were sent to his native

address by registered post and submitted the enquiry report vide reference sixth cited duly "**Proving**" the Article of Charge framed against the Charged Officer Sri G. Sambasiva Rao, CT-5175.

Vide reference seventh cited, a Show Cause Notice was issued to the Charged Officer inviting further explanation if any, on the enquiry report. Accordingly, a copy of the Show Cause Notice along with enquiry report was sent to the native address of the Charged Officer by Registered post which was returned vide reference eighth cited with postal remarks as "**Refused, return to sender**".

Vide reference ninth cited, the Commissioner, Printing Stationery and Stores Purchase, Vijayawada was requested to publish the Show Cause Notice along with O.E. report in the A.P. Gazette, as envisaged in the Rule 42(iii) of APSC(CC&A) Rules, 1991. Accordingly, the Show Cause Notice was published in the A.P. Gazette vide reference tenth cited.

. Vide references eleventh to thirteenth cited, the Asst. Commandant, APSPF, Tirupati submitted reports against the Charged Officer that, the said Constable has obtained Medical rest from the Medical Officer/Civil Asst. Surgeon, Area Hospital, Narasaraopet, Guntur Distt. from 16.02.2019 to 31.08.2019 in piecemeal and sent Medical Certificates through Courier even after disciplinary proceedings were initiated against him, while refusing to accept official documents (i.e., O.E. intimation letters & Show Cause Notice) sent to him through registered post.

Having gone through the entire PR file, I agree with the findings and opinion of the Enquiry Officer, who proved the Article of Charge as I hold that the Charged Officer has been a willful absentee for a prolonged period. Further, the Charged Officer has violated the leave procedure and absented for duties on the pretext of ill health. If he really fell ill health and intended to take medical treatment and rest, he should have reported sick at any APSPF unit nearby his place of residence to obtain sick passport for medical treatment. But he failed to do so and directly approached Area Hospital, Narasaraopet, Guntur District and obtained Medical Certificates from Medical Officer/Civil Asst. Surgeon and availed medical rest on his own by simply sending representations & Medical Certificates to the Unit Officer defying the procedure laid down for this purpose. After verifying the concerned Medical Certificates, it clearly reveals that, the Charged Officer has obtain treatment as Out-patient only.

Further, non acceptance of Official documents/letters i.e., Show Cause Notice & O.E. intimation letters which were sent to his native address amounts to willful rejection. Rejecting official communications by the Charged Officer clearly indicates that he had no intention to serve the department.

This is an Armed Force and any absence by a member of the Force on his own for such a long period will have a lot of bearing on the discipline of the Force and also it will have adverse impact on operational duties and the personnel are required to be put on extra duties in place of habitual absentees and thus it amounts to gross misconduct.

I, therefore, award the Charged Officer with a penalty of "**Removal from Service**" with immediate effect under Rule-9(ix) of APCS (CC&A) Rules-1991.

The Casual Leave of (01) day i.e., from 29.11.2018 AN to 30.11.2018 AN is treated as "**ELFP**" and the entire unauthorized absence period of (215) days from 30.11.2018 AN to 03.07.2019 (date of issue of this order) is treated as "**Not on duty**".

Acknowledge the receipt of the proceedings.

**M. SANKARA RAO,**

Dated : 03-07-2019.

*Commandant, Hqrs.,  
A.P. Special Protection Force,  
Tirupati.*

To,

Sri G. Sambasiva Rao, CT-5175 of APSPF, TTD Tirupati.

thro' the Assistant Commandant, APSPF, Tirupati - He will serve the orders on the above individual and return the dated acknowledgement copy to this office immediately.

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